

NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF AGRICULTURE

[M10-469]

1. Title of the substantive policy statement and the substantive policy statement number by which the substantive policy statement is referenced:

SP 10-01 – Responsible Individuals: OPM Certified Applicators

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issue Date: December 3, 2010

3. Summary of the contents of the substantive policy statement:

This substantive policy advises that a person possessing an active applicator license issued by the Office of Pest Management satisfies the Department's core examination requirement for the purpose of being designated as a "responsible individual." The date of licensure with the Office of Pest Management constitutes the date of passing the Department's core examination. Accordingly, a person qualifying as a responsible individual pursuant to this policy must either complete three continuing education units that calendar year or take and pass the Department's core examination by December 31 to continue as a responsible individual in the following calendar year, except that if a person was licensed by the Office of Pest Management between October 1 and December 31, then the requirements to continue as a responsible individual do not apply until the following calendar year.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.A.C. R3-3-202 and R3-3-203(F)

5. A statement as to whether the substantive policy statement is a new statement or a revision:

New